



JM-050 CIP (SOLEM3A) #16

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*Letter
J. Bryce
3/17/03*

Applicants : Jan Otto Solem et al.
Serial No. : 09/775,677
Filed : 5 February 2001
For : METHOD AND DEVICE FOR TREATMENT OF
MITRAL INSUFFICIENCY
Group Art Unit : 3738
Examiner : Urmi Chattopadhyay

Commissioner For Patents
Box RCE
Washington, D.C. 20231

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LETTER

TECHNOLOGY CENTER R3700

Sir:

This letter memorializes the February 25, 2003, telephone conversation between the undersigned attorney and the Examiner with regard to the Request for Continuing Application filed herewith. The undersigned is submitting the enclosed Request for Continuing Application for the following reasons:

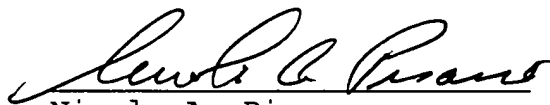
The present application was jointly owned by companies under the control of the named inventors, Syntheon AB and Valvida AB, up until approximately November 29, 2002, at which time this application and other related applications were acquired by Jomed ("Jomed"). Shortly thereafter, responsibility for this application was transferred from Browdy & Neimark PLLC, to the undersigned attorney at his prior firm, Fish & Neave. The file for this application was received by Fish & Neave on December 24, 2002.

On January 2, 2003, the undersigned attorney resigned from Fish & Neave and on January 6, 2003, joined the firm of Luce, Forward, Hamilton & Scripps. Jomed subsequently elected to transfer the present application to the undersigned at his new firm for further prosecution. The file for this case was received at Luce Forward on or about January 27, 2003.

On January 29, 2003, the undersigned was informed that present application was to be used as part of the security in connection with a financing transaction between Jomed and Edwards LifeSciences, LLC ("Edwards"). On February 19, 2003, the undersigned was informed by counsel for Edwards that the present application, among others, had been acquired by Edwards from Jomed.

Due to a potential conflict with Edwards, the undersigned is unable to handle prosecution of this application. Accordingly, so as not to prevent the pending application from lapsing until it can be addressed by other counsel for Edwards, the undersigned attorney is filing the Request for Continuing Examination **without** a substantive response, with the expectation that substitute counsel will substantively address the outstanding Office action in due course.

Respectfully submitted,



Nicola A. Pisano
Registration No: 34,408
Attorney for Applicant

c/o LUCE, FORWARD,
HAMILTON & SCRIPPS, LLP
11988 El Camino Real, Suite 200
San Diego, California 92130
Tel.: 858.720.6320



Atty. Docket No.: JM-050 CIP (SOLEM3A)
Express Mail Label No.: EV 092567877 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Group Art Unit:	3738
)		
Jan Otto Solem, et al.)	Examiner:	Chattopadhyay, Urmi
)		
Serial No.: 09/775,677)		
)		
Filed: February 5, 2001)		
)		
For: METHOD AND DEVICE FOR)		
TREATMENT OF MITRAL)		
INSUFFICIENCY)		

San Diego, California

BOX RCE
Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF EXPRESS MAILING

Dear Sir:

"Express Mail" mailing label No. EV 092567877 US

Date of Deposit: February 25, 2003

I hereby certify that a Request for Continued Examination (RCE) Transmittal, Fee Transmittal for FY 2003 (in duplicate), Check No. 136442 in the amount of \$930.00, Check No. 136441 in the amount of \$750.00, Letter, Petition for Extension of Time, Change of Correspondence Address, and return postcard are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to BOX RCE, Commissioner for Patents, Washington, D.C. 20231.

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FEBRUARY 25, 2003
Date

Jeff Beno
Jeff Beno



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,680.00

Complete if Known

Application Number	09/775,677
Filing Date	February 5, 2001
First Named Inventor	Jan Otto Solem
Examiner Name	Chattopadhyay, Urmi
Art Unit	3738
Attorney Docket No.	JM-050 CIP (SOLEM3A)

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number: 50-2298
Deposit Account Name: Luce, Forward, Hamilton & Scripps LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	
Independent Claims	-3** =	X	
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	410	2252	205	Extension for reply within second month
1253	930	2253	465	Extension for reply within third month
1254	1,450	2254	725	Extension for reply within fourth month
1255	1,970	2255	985	Extension for reply within fifth month
1401	320	2401	160	Notice of Appeal
1402	320	2402	160	Filing a brief in support of an appeal
1403	280	2403	140	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive - unavoidable
1453	1,300	2453	650	Petition to revive - unintentional
1501	1,300	2501	650	Utility issue fee (or reissue)
1502	470	2502	235	Design issue fee
1503	630	2503	315	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))
1801	750	2801	375	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1,680.00

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Nicola A. Pisano	Registration No. (Attorney/Agent)	34,408	Telephone (858) 720-6300
Signature	<i>Nicola A. Pisano</i>	Date	February 25, 2003	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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